

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2014-002527-003 DT

09/13/2016

HONORABLE DANIELLE J. VIOLA

CLERK OF THE COURT
D. McGraw
Deputy

STATE OF ARIZONA

VANESSA MARIE CUEVAS

v.

STEPHEN PAUL LACY (003)

JON MARTINEZ

EDM-QC-CCC

TRIAL MINUTE ENTRY
DAY 17

Courtroom 7A South Court Tower

State's Attorney:	Vanessa Cuevas
Defendant's Attorney:	Jonathan Warshaw
Defendant:	Present

Court Reporter, Jovanna Roman, is present.

A record of the proceedings is also made digitally.

10:55 a.m. Trial to a jury continues from September 12, 2016.

The jury is not present.

Trial in this cause number is held concurrently with the trial in Co-Defendant Cary Barfield's cause number CR2014-002527-001, Co-Defendant Adam Barfield's cause number CR2014-002527-002, and Co-Defendant Robert McLaughlin's cause number CR2014-002527-004; a separate minute entry issues as to each Co-Defendant.

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The Court is in receipt of the State's Motion to Amend the Indictment. The Motion will be addressed later.

Both sides announce ready.

10:58 a.m. The jury is present.

The State's case continues.

Amber Campbell resumes the stand and testifies further.

12:00 p.m. The jury is reminded of previous admonitions and is excused from the courtroom. Court remains in session.

The Court advises the parties that the State's Motion to Amend the Indictment will be addressed after the lunch address.

12:01 p.m. Court stands at recess.

1:28 p.m. Court reconvenes with the Defendant and respective counsel present.

Court Reporter, Jovanna Roman, is present.

A record of the proceedings is also made digitally.

The jury is not present.

Arguments are presented on the State's Motion to Amend the Indictment.

The Court has considered the State's Motion to Amend the Indictment, the arguments of counsel, and Rule 15.5.

IT IS ORDERED granting the State's Motion to Amend the Indictment.

IT IS ORDERED amending the Indictment filed on September 11, 2014, as to Counts 1 through 5 to correct the date of offense as to each Count to read "on or between March 9, 2009 through May 14, 2014" in place of "on or between September 11, 2007 through May 14, 2014" as it relates to Counts 1, 2, and 4, and in place of "on or between October 23, 2007 through May 14, 2014." The original document not being in the Court's possession,

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IT IS ORDERED directing the Clerk of the Court, EDM-QC personnel, to make the above-referenced amendment.

Discussion is held regarding procedural issues related to the Court's ruling.

Both sides announce ready.

1:55 p.m. The jury is present.

Amber Campbell resumes the stand and testifies further.

State's exhibit 276 is received in evidence.

State's exhibit 277 is played in the presence of the jury.

3:03 p.m. The jury is reminded of previous admonitions and is excused from the courtroom. Court stands at recess.

3:23 p.m. Court reconvenes with the Defendant and respective counsel present.

Court Reporter, Jovanna Roman, is present.

A record of the proceedings is also made digitally.

The jury is not present.

The State makes a record with respect to its misunderstanding of the Court's prior ruling on an objection made by the Defense.

3:25 p.m. Court stands at recess.

3:38 p.m. Court reconvenes with the Defendant and respective counsel present.

Court Reporter, Jovanna Roman, is present.

A record of the proceedings is also made digitally.

The jury is not present.

Both sides announce ready.

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3:40 p.m. The jury is present.

Amber Campbell resumes the stand and testifies further, while State's exhibit 277 is played in the presence of the jury.

4:07 p.m. The jury is reminded of previous admonitions and is excused from the courtroom. Court stands at recess.

4:15 p.m. Court reconvenes with the Defendant and respective counsel present.

Court Reporter, Jovanna Roman, is present.

A record of the proceedings is also made digitally.

The jury is not present.

Both sides announce ready.

4:17 p.m. The jury is present.

Amber Campbell resumes the stand, while State's exhibit 277 is played in the presence of the jury.

4:30 p.m. The jury is reminded of previous admonitions and is excused from the courtroom. Court remains in session.

Discussion is held regarding potential appellate exhibits (State's exhibits 156, 159, 255, and 256) and scheduling issues.

4:36 p.m. Court stands at recess until **September 14, 2016, at 10:30 a.m.**